### VIRGINIA:

## BEFORE THE VIRGINIA GAS AND OIL BOARD

APPLICANT: COLUMBIA NATURAL RESOURCES, INC.		)	DIVISION OF GAS AND OIL
RELIEF SOUGHT:	EXCEPTION TO STATEWIDE SPACING LIMITATIONS PRESCRIBED BY VIRGINIA CODE § 45.1-361.17(A)(2)	)	DOCKET NO. 00-1017-0834
LEGAL DESCRIPT	ION:	)	
WELL NUMBER CO BIG SANDY FUEL PRATER QUADRA PRATER MAGISTE BUCHANAN COUN	CORP. 4,114.05 ACRE TRACT NGLE ERIAL DISTRICT	)	

#### REPORT OF THE BOARD

## FINDINGS AND ORDER

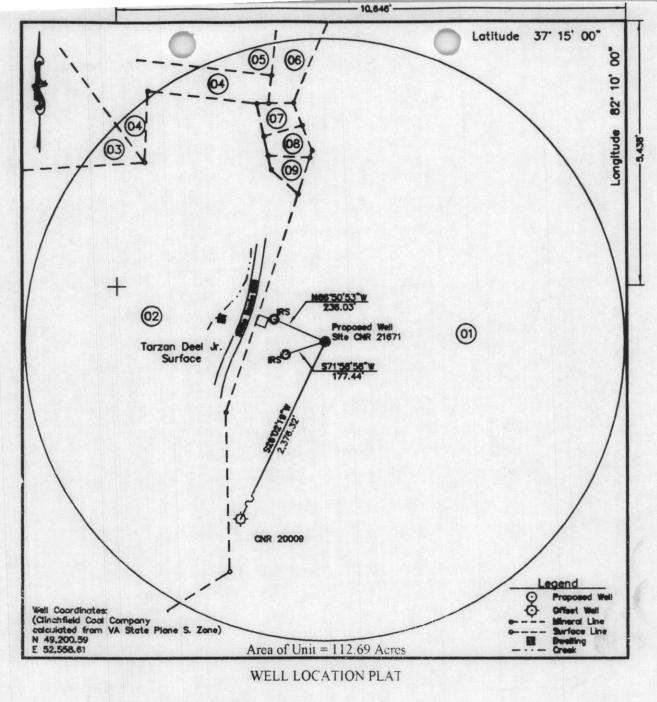
- 1. <u>Hearing Date and Place</u>: This cause came on for hearing before the Virginia Gas and Oil Board (hereinafter "Board") at 9:00 a.m. on October 17, 2000, at the Conference Center, Breaks Interstate Park, Breaks, Virginia.
- Appearances: James E. Kaiser of Wilhoit & Kaiser, appeared for the Applicant, and Sandra B. Riggs, Assistant Attorney General, was present to advise the Board.
- 3. <u>Notice and Jurisdiction</u>: The Board finds that it has jurisdiction over the subject matter. The Board also finds that the Applicant has exercised due diligence to locate and provide notice to all persons listed in Exhibit B.
- 4. Relief Requested: Applicant requests an exception to the statewide spacing requirements set forth in Va. Code § 45.1-361.17 for Well Number CNR 21671 for Applicant's development and operation of Conventional Gas (herein "Gas" or "Conventional Gas") from all the Mississippian and Devonian Age formations including, but not limited to the Base Lee Sands, Ravencliff, Maxon, Big Lime, Borden (Weir), Sunbury Shale (Coffee), Berea and Devonian Shale, Cleveland, Upper

Huron, Lower Huron and Olentangy from surface to total depth drilled of 5,655 feet, excluding coalbeds and rock strata associated therewith ("Subject Formations"). Applicant requests the Board's consent to drill Well Number CNR 21671 2,376.32 feet from existing CNR Well Number 20009 at the location depicted on Exhibit A hereto.

- 5. Amendment: None
- 6. Reasons Relief Should be Granted: Evidence presented on behalf of the Applicant shows, and the Board finds that:
  - (1) The proposed Well CNR 21671 is located on the Big Sandy Fuel Corp. 4,114.05 acre tract, and the coal and surface owners have consented to the well location depicted on the Plat attached hereto ("Plat").
  - (2) The Applicant represents it has the right to operate and develop the reciprocal Well 20009 has all adjacent Gas interests under lease, and that the granting of the application will not impact the correlative rights of any person.
  - (3) An expert witness testified that the location exception was necessary due to constraints imposed by the surface owner, and that the granting of the location exception was in the best interest of preventing the waste of 500 mmcf of Conventional Gas reserves, protecting correlative rights and maximizing recovery of Conventional Gas underlying the drilling unit depicted on the Plat.
  - (4) Before drilling Well #21671, Applicant had prepared a survey which indicated that said well was 2,508.48 feet from existing CNR Well #20009; however, after CNR Well #21671 was drilled, it was discovered that the original survey was in error in that CNR Well #21671 was actually 2,376 feet from existing CNR Well #20009.
- 7. Relief Granted: The requested relief in this cause be and hereby is granted authorizing the Applicant's location of Well Number CNR 21671 2,376.32 feet from existing CNR Well 20009, at the location depicted on the Plat.
- 8. <u>Findings</u>: That the well location exception is needed in order to prevent the waste of 500 mmcf of Conventional Gas reserves, to protect correlative rights and to generally effect the purposes of the Virginia Gas and Oil Act.
- 9. <u>Effective Date</u>: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 16 day of the Virginia Gas and Oil Board.	November, 2000, by a majority of
DONE AND PERFORMED this 22 day of	Benny R. Wampler November, 2000, by order of this
Board.	L wila
그들은 사람들은 아들이 아들이 되었다면 하는데 하는데 이렇게 다른데 하는데 하는데 하는데 하는데 하는데 하는데 아들이	Son Executive to the Staff Gas and Oil Board
STATE OF VIRGINIA ) COUNTY OF WISE )	
Acknowledged on this day of Novembrotary public in and for the Commonwealth of Virginia duly sworn, did depose and say that he is Chairman of that he executed the same and was authorized to do so.  Susan G. O. Notary Pu	a, appeared Benny Wampler, being of the Virginia Gas and Oil Board,  Sarrett
My commission expires: July 31, 2002	
STATE OF VIRGINIA COUNTY OF WASHINGTON  Acknowledged on this 22 day of Novembrotary public in and for the Commonwealth of Virgingleduly sworn, did depose and say that he is Principal Extended Gas and Oil Board, that he executed the same and was Diane J. I. Notary Public Diane	nia, appeared B. R. Wilson, being recutive to the Staff of the Virginia authorized to do so.

My commission expires: September 30, 2001



TRACT NU DISTRICT: WELL COO ELEVATION	ORDINATES (VIRGI	NIA STATE PLANE): N - 3 METHOD USED TO D	ANGLE: <u>Prat</u> 49,450.85 E	- 922.179.16	
COUNTY:	Buchanan	SCALE: 1" = 400"	DATE:	09-08-00	
	IS A NEW PLAT	: AN UPDATED PLAT	: OR A FIN	NAL LOCATION PLAT	X SALTH O.
+		well on United States Topographic Ness being represented by border lines a			& Mulling
Form Dickers Rev 108		Licensed La	nd Surveyor (Affir	( Seal )	No. 002066  9-8-00  NO SURVEYOR

# **EXHIBIT B**

Well 21671

Pine Mountain Oil & Gas P O Box 4000 Lebanon, VA 24266

Tarzan Deel and Bessie Jerrine Deel Route 2 Box 362 Haysi, VA 24256

James H. Deel and Shirley Deel 19233 Sandy Lane Stewartstown, PA 17363

Connie Deel P O Box 368 Vansant, VA 24656

Katie Blankenship and Alvin Blankenship Route 2 Box 275 Haysi, VA 24256

Carter Deel P O Box 631 Haysi, VA 24256